

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

DAVID FREEMAN,)	
)	
Petitioner,)	
)	
v.)	Case No. 2:06-cv-122-MHT-VPM
)	
DONAL CAMPBELL,)	
Commissioner of the Alabama)	
Department of Corrections,)	
)	
Respondent.)	

**JOINT MOTION FOR ENLARGEMENT OF TIME
TO FILE JOINT REPORT**

Comes now Respondent, by and through the Attorney General of the State of Alabama, and moves for an enlargement of time to file the joint report in the above-styled case of seven [7] days, up to and including June 23, 2006, and states the following in support:

1. On May 18, 2006, this Court ordered the parties to prepare and file a Proposed Joint Report on or before June 16, 2006 to be used at the June 28, 2006 Case Management Conference. Doc. 23.

2. In preparing the Proposed Joint Report, the undersigned and petitioner's counsel arraigned that the State would complete it's draft, transmit it to the petitioner, who would then respond. After that time, the two parties would combine the drafts into a joint document.

3. After consulting with petitioner's counsel, the conclusion was reached that due to her work schedule, under-signed counsel has not and will not be able to adequately prepare the State's portion of the Proposed Joint Report with enough time prior to June 16, 2006 for petitioner's counsel to adequately respond. The undersigned filed an opposition to certiorari in the United States Supreme Court in this petitioner's state court Rule 32 appeal on May 23, 2006 and will be conducting an evidentiary hearing in *Gamble v. State*, CC-813/814.60, June 6 through June 8, 2006.

4. The undersigned has spoken with petitioner's counsel and he consented to the filing of this motion.

WHEREFORE, Respondent requests that this Court grant an enlargement of seven [7] days in which to file the Proposed Joint Report, up to and including June 23, 2006.

Respectfully Submitted,

Troy King
Attorney General

/s/ Cheryl Ann Schuetze
Cheryl Ann Schuetze
Assistant Attorney General
Counsel for Respondent

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was electronically filed with the Clerk of the Court using CM/CEF system this 2nd day of June, 2006, which will send notification to: **Keir M. Weyble, Christopher Seeds, and Leslie Smith.**

/s/ Cheryl Ann Schuetze
Assistant Attorney General

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